



# Aboriginal cultural heritage in NSW: A proposed new legal framework – Factsheet

The NSW Government is seeking your views on a proposed new system for managing and conserving Aboriginal cultural heritage. It will be supported by new legislation that respects and conserves Aboriginal cultural heritage in New South Wales for current and future generations.

The proposed new system has been developed in response to public feedback on a draft reform model released in September 2013. That feedback showed there was general support for the principles, but wide-ranging and often contrasting views on the details.

The proposed new system offers a transformative, contemporary and respectful vision for the management of Aboriginal cultural heritage in New South Wales. New legislation will explicitly recognise Aboriginal custodianship and give Aboriginal people decision-making authority. It will also provide clear and consistent processes for economic and social development in New South Wales.

## Aims of the new system

The proposed new system delivers on five broad aims.

Aims		Key proposals
Broader recognition of ACH (Aboriginal cultural heritage) values	Recognising in law a more respectful and contemporary understanding of ACH	Statutory objects to guide interpretation of the draft legislation A new definition of ACH Legal acknowledgement of Aboriginal ownership of cultural heritage
Decision-making by Aboriginal people	Creating new governance structures that give Aboriginal people legal responsibility for, and authority over, Aboriginal cultural heritage	ACH Authority Local consultation panels Local coordination and support Ministers and agencies
Better information management	Improving outcomes for ACH through new information management systems and processes that are overseen by Aboriginal people	Aboriginal Cultural Heritage Information System ACH mapping products and processes Strategic plans Monitoring and reporting
Improved protection, management and conservation of ACH	Providing broader protection and more strategic conservation of ACH values	Conservation tools Repatriation Funding for ACH conservation
Greater confidence in the regulatory system	Providing better upfront information to support assessments, clearer consultation processes and timeframes, and regulatory tools that can change to suit different types of projects.	A new assessment pathway Aboriginal Cultural Heritage Management Plans Integration with development assessment Dispute resolution Appeal and review mechanisms Compliance and enforcement.

# Public consultation

Public consultation on the proposed new system will occur from **11 September to 18 December 2017**. During the first half of the consultation period we will run information sessions about what the draft legislation will contain (before it is released). The second half of the consultation period will take place after the draft legislation has been released. During this period we will hold a series of workshops to get your feedback to help us finalise the legislation before it is introduced to Parliament.

## How to find out more and get involved

A package of material is available on our [consultation page](#) at to help you understand the proposed new system and to assist you providing feedback. This includes:

- a series of short **videos** that summarise the purpose and benefits of the proposed new system
- a **proposal paper** that gives an overview of the key proposals being put forward and the reasons for them
- a **Yarn Up Handbook**, which focuses on the proposed new governance structure. This handbook aims to facilitate group discussions with Aboriginal people and explore options for forming key governance bodies.

Public **information sessions and workshops** will be held in 19 locations across NSW.

**Webinars** will be held after the information sessions have been completed for those that were not able to attend an information session and for regular users of the system.

Additional information will be added to the website throughout the consultation period, including the draft legislation when it becomes available.

## Give your feedback

The public consultation will close on **18 December 2017**. You can provide feedback:

- online at <http://www.environment.nsw.gov.au/aboriginal-cultural-heritage-consultation>
- by written submissions to OEH's e-mail box [ACH.reform@environment.nsw.gov.au] or in hardcopy to: NSW Office of Environment and Heritage, PO Box A290 Sydney South, NSW 1232
- at one of the 19 workshops as part of a group discussion
- by calling the Office of Environment and Heritage's Environment Line on 13 1555 and asking to leave a verbal submission.

For any enquiries, please call the Office of Environment and Heritage's Environment Line on 13 1555.